In the High Court of Punjab and Haryana at Chandigarh

CWP No.12860 of 2003
Date of decision:December 21, 2007

M/s Surinder Engineering Company Limited

---Petitioner

Vs.

Assistant Commissioner of Customs, Ludhiana(Punjab)

---Respondent

Coram: **HON'BLE MR. JUSTICE M.M.KUMAR**
HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: None.

***

M.M.KUMAR, J.

In this petition filed under Article 226 of the Constitution prayer is for issuance of direction to the respondent to withdraw his letter dated 11.7.2003(P-8) invoking bank guarantees without jurisdiction or authority and without issue of any show cause notice or demand notice.

When the matter came up for consideration before a Division Bench of this Court on 21.8.2003, learned counsel for the petitioner had sought time to place on record bonds which were executed by the petitioner on the basis of which bank guarantee was furnished. The matter was adjourned to be listed for hearing as and when the needful is done. Till date no steps have been taken by the petitioner although a period of more than four years have passed. Therefore, there is no room left for adjudicating the issue involved in the instant petition, as the petitioner fails

to establish its bona fide in terms of order dated 21.8.2003.

In view of the above, the present writ petition is dismissed.

(M.M.KUMAR)
JUDGE

(RAKESH KUMAR JAIN)
JUDGE

DECEMBER 21, 2007
paramjit